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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 FRANKIE MANUEL MIRANDA,
9 Petitioner,
10 v.
11 UNITED STATES OF AMERICA,
12 Respondent.

Case No. C18-1241RSL

ORDER DIRECTING THE
UNITED STATES TO
ANSWER § 2255 PETITION

12 This matter comes before the Court on Petitioner's "Motion to Vacate, Set Aside,
13 or Correct Sentence Pursuant to § 2255" (Dkt. # 1). After a preliminary review of the
14 motion, the Court ORDERS as follows:

15 (1) Within forty-five (45) days of the date of this order, the United States shall
16 file and serve an Answer in accordance with Rule 5 of the Rules Governing Section
17 2255 Cases in United States District Courts. As part of its Answer, the United States
18 shall state its position as to whether an evidentiary hearing is necessary, whether any
19 discovery is necessary, whether there is any issue as to abuse or delay under Rule 9, and
20 whether Petitioner's motion is barred by the statute of limitations.

21 (2) On the face of its Answer, the United States shall note this matter for the
22 fourth Friday following the filing of its Answer, and the Clerk shall note the matter on
23 the Court's docket accordingly. Petitioner may file a Reply to the Answer no later than
that noting date.

1 The Clerk shall direct a copy of this Order to Petitioner.

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3 DATED this 5th day of September, 2018.

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6 Robert S. Lasnik
7 United States District Judge